

From: Will Ganz
To: Microsoft ATR
Date: 1/23/02 9:28pm
Subject: Microsoft Settlement

The proposed "Seattlement" is sellout of the highest proportions and is more of a 'reward' rather than a 'remedy' for Microsoft's behavior. To have an order with realistic chance of being enforced and to allow diversity in the market the following is required:

- 1.. An oversight group that can stop Microsoft's behavior for violations of this agreement with monetary penalties available. The present proposed group is a toothless tiger.
- 2.. Revelation of all software patents that they hold so that they cannot threaten with FUD(Fear, Uncertainty, & Doubt) on any vendor.
- 3.. Revelation of all API's for Windows. A 6 month notification of the change in the API's should be required so that Microsoft cannot change them at will to break competing products. Borland's Delphi compiler is the best example of this corporate harassment with Microsoft continually changing the underlying API's to destroy any advantage that Borland may gain through technological advancements.
- 4.. Allow end users to keep their licenses for Windows should their computer fail. This would allow consumers to upgrade their computers without continually having to buy yet another license for the new computer.
- 5.. Require Microsoft to directly refund consumers for licences of Windows when they do not agree to the End User License Agreement. This is typically done when consumers install a competing operating system. Presently, Microsoft refuses to refund consumers their money for the licences that they do not agree with and the OEMs do not refund the consumer's money because they are afraid of dealing with Microsoft and jeopardizing their contract for Windows. This circular logic deliberately frustrates consumers in getting the refund they are entitled. This raises the cost of competing operating systems by requiring consumers to buy, first the computer with Windows, and then pay again for a copy of the alternative operating system.

Sincerely,

Will Ganz